

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 140 and 171

RIN 3150-AF83

Revision of Fee Schedules; 100% Fee Recovery, FY 1998; Correction

AGENCY: Nuclear Regulatory Commission.

ACTION: Proposed rule; Correction.

SUMMARY: The Nuclear Regulatory Commission published in the **Federal Register** of April 1, 1998, a document concerning the licensing, inspection, and annual fees charged to its applicants and licensees in compliance with the Omnibus Budget Reconciliation Act of 1990. This document adds paragraph (a)(1)(v) to § 140.7 and corrects a footnote number.

FOR FURTHER INFORMATION CONTACT: Glenda Jackson, Office of the Chief Financial Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Telephone 301-415-6057.

SUPPLEMENTARY INFORMATION: In proposed rule document 98-8279, beginning on page 16046 in the issue of Wednesday, April 1, 1998, make the following corrections.

§ 140.7 [Corrected]

1. On page 16054, in the second column, add paragraph (a)(1)(v) to read as follows:

(v) For indemnification from \$99 million to \$1 million inclusive, a fee of \$6 per year per thousand kilowatts of thermal capacity authorized in the license;

§ 171.16 [Corrected]

2. In § 171.16, in the table on page 16063, the footnote reference in the Annual Fees column for item "16 Reciprocity" reading "6" should be corrected to read "8."

Dated at Rockville, Maryland, this 3rd day of April, 1998.

For the Nuclear Regulatory Commission.
Alzonía Shepard,

*Acting Chief, Rules and Directives Branch,
Division of Administrative Services, Office
of Administration.*

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-NM-41-AD]

RIN 2120-AA64

Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-145 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain EMBRAER Model EMB-145 series airplanes. This proposal would require a one-time inspection to detect bulging or cracking of the pitot 1 and pitot 2 drain tubes in the forward electronic compartment; and cleaning the tubes or replacing drain tubes with new tubes, if necessary. This proposal also requires modification of the pitot/static system. This proposal is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by the proposed AD are intended to detect and correct bulging and cracking of the pitot 1 and pitot 2 drain tubes in the forward electronic compartment caused by cycles of water freezing and expanding inside the tubes, which could result in erroneous airspeed indications to the flight crew and reduced operational safety in all phases of flight.

DATES: Comments must be received by May 8, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-41-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Empresa Brasileira de Aeronautica S.A. (EMBRAER), P.O. Box 343—CEP 12.225, Sao Jose dos Campos—SP, Brazil. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Small Airplane Directorate, Atlanta Aircraft Certification Office, One Crown Center,

1895 Phoenix Boulevard, suite 450, Atlanta, Georgia.

FOR FURTHER INFORMATION CONTACT: Neil Berryman, Aerospace Engineer, Systems and Flight Test Branch, ACE-116A, FAA, Small Airplane Directorate, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Boulevard, suite 450, Atlanta, Georgia 30337-2748; telephone (770) 703-6066; fax (770) 703-6097.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 98-NM-41-AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-41-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

The Departamento de Aviação Civil (DAC), which is the airworthiness authority for Brazil, notified the FAA that an unsafe condition may exist on certain EMBRAER Model EMB-145 series airplanes. The DAC advises that it has received reports indicating that the pitot 1 and pitot 2 drain tubes in the forward electronic compartment had cracked. The cause of the cracking was